

RECEIVED AND FILED WITH THE
NJ BUREAU OF SECURITIES ON

By: Franklin L. Widmann
May 4, 2006

STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
NEW JERSEY BUREAU OF SECURITIES
OAL DKT. NO. BOS-07401-05

IN THE MATTER OF:

MUTUAL TRUST COMPANY OF
AMERICA SECURITIES

Respondent

Administrative Action

ORDER

This matter is before Franklin L. Widmann, Chief, New Jersey Bureau of Securities, on the May 3, 2006 application of Zulima V. Farber, Attorney General of New Jersey, by Joshua Rabinowitz, Deputy Attorney General, seeking interlocutory review pursuant to N.J.A.C. 17:27-14.10 of the May 2, 2006 order of the Honorable Jesse H. Strauss, Administrative Law Judge, denying a stay of the May 8 and May 9, 2006 hearing dates in this matter, pending review of a yet to be filed interlocutory appeal from Judge Strauss's April 10, 2006 order denying the Bureau's motion for partial summary decision and his May 1, 2006 order denying the Bureau's motion for reconsideration of the April 10, 2006 order.

I have fully reviewed and considered the May 3, 2006 submission of the deputy attorney general seeking a stay of the hearing dates, the May 4, 2006 letter of Mitchell H. Cobert, Esq., counsel for respondent Mutual Trust Company of America Securities, objecting to the Bureau's application for a stay, the May 4, 2006 answering papers submitted by the deputy attorney general, and arguments of counsel during a conference call on May 4, 2006.

At this time, given that review, the immediacy of the scheduled hearing dates, and in deference to the administrative law judge, and to develop a full record that will enhance decision making in this matter, I have decided to allow the matter to proceed to a hearing on May 8 and May 9, 2006. The initial decision and any exceptions filed to it will be fully reviewed at the conclusion of the case.

Therefore, it is on this 4th day of May, 2006

ORDERED that the application of the Attorney General for a stay of the hearing dates is DENIED.

NEW JERSEY BUREAU OF SECURITIES

By: Franklin L. Widmann
Franklin L. Widmann, Chief